



OFFICE OF THE
BOARD OF SELECTMEN
TOWN OF MAYNARD

MUNICIPAL BUILDING
195 MAIN STREET

MAYNARD, MASSACHUSETTS 01754

Tel: 978-897-1301 Fax: 978-897-8457

Selectmen's Meeting Minutes
Tuesday, October 1, 2013
Room 201, Town Hall
Time: 7:00 pm

Present: Chairman Brendon Chetwynd, Selectman David Gavin, Selectman William Cranshaw, and Selectman Dawn Capello, Town Administrator Kevin Sweet and Admin. Assistant Becky Mosca. **Absent:** Selectman James Buscemi

(This public meeting was recorded).

Pledge of Allegiance

Public Comments: Trish Saunders asked if the Town has done a new Noise Ordinance By-Law. The property at 129 Parker Street, concern with the wetlands area. Wants someone to look at that area.

Acceptance of Minutes: July 9, 2013, August 1, 2013, September 10, 2013 and September 17, 2013

A motion was made by Selectman Gavin to approve the minutes for July 9, 2013, August 1, 2013 and September 17, 2013 as shown and to hold September 10 th, 2013 and have board look over again. Second by Selectman Cranshaw. Vote 4-0. Motion approved.

Bond: \$1,798,000.00 General Obligation Municipal Purpose Loan of 2013 Bonds for Town of Maynard. The Bonds are authorized for water tank repairs and construction of a sewer pump station under provisions of Massachusetts General Laws as detailed herein.

A motion was made by Selectman Chetwynd to approve the Bond as shown:

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Maynard, Massachusetts (the "Town"), certify that at a meeting of the board held October 1, 2013, of which meeting all members of the board were duly notified and at which a quorum was present,

the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the sale of the \$1,798,000 General Obligation Municipal Purpose Loan of 2013 Bonds of the Town dated October 4, 2013 (the “Bonds”), to Robert W. Baird & Co., Inc. at the price of \$1,862,196.48 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on October 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2014	\$133,000	3.00%	2020	\$155,000	3.00%
2015	135,000	3.00	2021	160,000	3.00
2016	140,000	3.00	2022	170,000	3.00
2017	145,000	3.00	2023	175,000	3.00
2018	145,000	3.00	2028	130,000	3.25
2019	150,000	3.00	2033	160,000	4.00

Further Voted: that the Bonds maturing on October 1, 2028 and October 1, 2033 (each a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

Term Bond due October 1, 2028

<u>Year</u>	<u>Amount</u>
2024	\$25,000
2025	25,000
2026	25,000
2027	25,000
2028*	30,000

*Final Maturity

Term Bond due October 1, 2033

<u>Year</u>	<u>Amount</u>
2029	\$30,000
2030	30,000
2031	30,000
2032	35,000
2033*	35,000

*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary

Official Statement dated September 19, 2013, and a final Official Statement dated September 25, 2013 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: October 1, 2013

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AM 24237983.1

Clerk of the Board of Selectmen

Second by Selectman Capello. Vote 4-0. Motion approved.

List of Correspondences:

- a) Fire Department monthly report for August 2013
- b) OMS Report for August 2013
- c) Treasurer/Collector monthly report 2013
- d) Library Report for month August
- e) Assessors monthly report August 2013
- f) Retirement meeting notice Sept 26, 2013
- g) Activity Report from On-Call engineering service, DPW
- h) Board of Health meeting notice Sept. 24, 2013
- i) Department of Public Utilities hearing notice Sept. 26, 2013
- j) Fire Department, Thank you
- k) Notice, agenda Charter Review Meeting Sept. 30, 2013
- l) Notice, agenda Recreation Commission Meeting Sept. 25, 2013
- m) CPC, meeting minutes for Sept. 11, 2013
- n) ConsCom meeting notice, Oct. 1, 2013
- o) Legal notice, ZBA, Public Hearing, Oct. 21, 2013
- p) Notice, Grand opening, new Porfino Barber Shop 43 Nason Street,
- q) Notice of Reo and Coolidge Parks: Opened as of 9/27/13
- r) Maynard Golf Course reports

A motion was made by Selectman Capello to approve the list of correspondences as shown. Second by Selectman Gavin. Vote 4-0. Motion approved.

Special One-Day Permit, Block Party for Balcom Lane: From residents on Balcom Lane, Edward Deen, Jon Larkin, and Tim Puglielli sent email to request a Block party permit for neighborhood, party date is Oct. 12, 2013 and rain date is Oct. 19, 2013.

A motion was made by Selectman Cranshaw to approve the special one-day permit for block party at Balcom Lane date October 12, 2013 from 1:30 pm – 6:30 pm with a rain date of October 19, 2013. Second by Selectman Gavin. Vote 4-0. Motion approved.

New business at Corner of Nason /Main Street, Serendipity Café' received by Municipal Service on Sept. 18/2013. New owner is Bruce Davidson.

A motion was made by Selectman Capello to approve the Common Victualler and Entertainment license for Serendipity Café One Nason Street, Maynard, MA. Second by Selectman Gavin. Vote 4-0 Motion approved.

A motion was made by Selectman Capello to approve the Entertainment license for Serendipity Café One Nason Street, Maynard, MA. Second by Selectman Gavin. Vote 4-0 Motion approved.

Special Permit, Use of Crowe Park (Movie Night) 6 – 9 pm: We received email from Marc Cryan resident on Old Marlboro Road, to show an outdoor movie at Crowe Park on Saturday, October 5th, 2013 in the evening after Maynard Fest. From 6 – 9 pm.

A motion was made by Selectman Capello to approve the special one-day permit for October 5, 2013 use of Crowe Park to Show movie, Princess Bride from 6:00 pm – 9:00 pm. Second by Selectman Gavin. Vote 4-0. Motion approved.

MacDonald Development & Waltham Parker Development Agreement

Discussion with new agreement to amend the past agreement. This request from James MacDonald is to extend the agreement until the spring of 2015 when the new project on Main Street is complete. He needs a demo permit to take down the buildings at 10 – 20 Main Street. And building permit to put in the foundation before winter time weather put a stop to this.

10-20 Main Street. Developer James MacDonald said he was asked by the former DPW Supt. Jerry Flood to delay the work on the sidewalks until the Bridgework on Waltham Street was completed because it would be too much confusion in the area for traffic. No amendments put in writing. Board asked TA, K. Sweet to work with, DPW (Chris & Wayne) to come up with scope of work (RFP) write up a new agreement for Mr. MacDonald that all parties can agree on and sign with the plan to have this work completed in the spring of 2015. Selectman Capello requested a resolution to come before the Board at the October 15, 2013 meeting.

Selectman Cranshaw asked Developer to check on one of the areas near his building with no curbing on Waltham Street. Sel. Cranshaw asked if MacDonald would do a short-term fix to the curb.

129 Parker Street, Next Steps, A.G. Jennings, LLC. Report dated 9/27/2013

Discussion with Board for recommendation for potential next steps. Relevant and helpful to the Town in keeping this process moving forward.

Present: Angus Jennings and Town Planner Eric Smith.

Summary discussion

- 1) The traffic, the road fixes need to be completed before the work at 129 Parker Street is to be opened for business.
- 2) Housing at 129 Parker Street is item that all agree on.

3) Business at 129 Parker Street is for a Grocery Store to be on site.

Next Steps per Angus Jennings:

Tax Revenue for Town.

Services for Town.

Zoning to be prepared to fit the need of what will end up at site.

Redevelopment.

What the market conditions show for needs to the area.

“View Plan”

40R Smart Growth Zoning as a policy option. Benefits, matter of rights – design standards, very detailed very clear adoption.

Selectman Cranshaw wanted to know how long this would take.

Angus, 4 to 12 months. Sel. Cranshaw does not think we have that kind of time to waste.

Selectman Capello wants to see this process moving forward.

Angus thinks we should have a committee set up to keep the ideas and plans moving forward. The make-up of this committee is up for design.

Should it be all Selectmen/or 1 Selectman, 1 planner, maybe Angus (cost money for Angus) who will pay for his time? Maybe Developer? If this helps to get all sides to agree to plan, Town Meeting, Agreement with Developer then permit to build it should work. At back on the agenda with BOS for October 15, 2013.

Selectman Capello left the meeting around 9:30pm

Economic Development Discussion with E. Smith

Eric Smith, Town Planner gave update of his roll with planning and businesses to board. Eric will keep the board update with feedback and statement of work.

TA, K. Sweet mentioned that the work that was done with Green Communities is a good example with information to show Eric and share with MBA and Maynard Can groups.

Sel. Gavin, said to use Joe Mullin as a resource for some development opportunities.

Eric said he was looking at a Downtown grant that is available for \$10,000.00.

A motion was made by Selectman Gavin to approve Eric Smith to apply for the Downtown \$10,000.00 grant. Second by Selectman Chetwynd. Vote 3-0. Motion approved.

Draft Control Articles for STM, Nov. 4, 2013

A motion was made by Selectman Chetwynd to accept the controls 1 thru 10 for STM, Nov. 4, 2013. Second by Selectman Gavin. Vote 3-0 Motion approved.

A motion was made by Selectman Gavin to submit the proposed leash law article as amended, for the special town meeting. Second by Selectman Cranshaw. Vote 3-0. Motion approved.

A motion was made by Selectman Cranshaw to accept control 11. Second by Selectman Gavin. Vote 3-0. Motion approved.

Control	TITLE	DEPARTMENT	Accepted
1	BY-LAWS, DOG OWNER'S RESPONSIBILITY LAW	TOWN CLERK	yes
2	BY-LAWS, DOG OWNER'S RESPONSIBILITY LAW	TOWN CLERK	yes
3	BY-LAWS, DOG OWNER'S RESPONSIBILITY LAW	TOWN CLERK	yes
4	BY-LAWS, ZONING, REPLACE EXISTING DEFINITION OF SUPERMARKET	PLANNING BOARD, ERIC SMITH	yes
5	BY-LAWS, PROPOSED REGISTERED MARIJUANA DISPENSARY	PLANNING BOARD, ERIC SMITH	yes
6	BY-LAWS, EXTEND TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT	PLANNING BOARD, ERIC SMITH	yes
7	BY-LAWS, PROPOSED AMENDMENTS TO SECTION 3, USE REGULATIONS, REGARDING THE ALLOWED USE OF SUPERMARKET	PLANNING BOARD, ERIC SMITH	yes
8	BY-LAWS, ADD A NEW SECTION 4.1.4, MAXIMUM TOTAL GROSS SQUARE FEET AND SPECIAL PERMIT.	PLANNING BOARD, ERIC SMITH	yes
9	BY-LAWS, ADD A NEW SECTION 4.1.5 MAXIMUM BUILDING SIZE RETAIL ESTABLISHMENTS IN ALL DISTRICTS	PLANNING BOARD, ERIC SMITH	yes
10	Prior Year bill	DPW	yes
11	Leash LAW	Board of Selectmen	As amended

Town Administrator's Report, Kevin Sweet

- **Reo/Coolidge**, parks are officially opened, Sept. 27, 2013. Town and Contractor and Design Engineer still have a few remaining items to work out. Board asked TA. To keep the web updated.
- **Solar Array**, ribbon-cutting ceremony is in the works. Will have a firm date by Oct. 15, 2013. Some concerns with Dog Park area, NStar placed poles in the dog area.
- **Seasonal Influenza Vaccine**, dates set for seniors on Oct. 15, 2013 and residents over 9 on Oct. 19th from 10 am – 12pm at Fowler School Auditorium.
- **Downtown Holiday Lights**, We had a meeting with Chris Okafor, Kelli and Nick Costa from MBA. Group discussed roles and expectations for this year's event. Sip and Stroll is planned for Dec. 7th from 6 to 8:00 pm
- **DOR**, this year's certified free cash as of July 1, 2013 is:
GF = \$1,693,596.00 WEF = \$166,248.00 SEF = \$375,048.00
- **Bonding – Moody's** affirmed town rating at Aa3; town has satisfactory financial position, moderately sized tax base with favorable demographics.
- **Assistant Town Administrator Position**, position has been advertised on the Town Website. Posting closes on Oct. 16th, as of the 1st we have 32 resumes.

Chairman Report;

- Charter review update, on the items the BOS had discussed at the workshop on Sept. 10, 2013.
- Meeting on Thursday with MSBA
- Request a meeting to be set up with the Stow, MA. Board of Selectmen
- Request an executive meeting be set up with School Committee, Supt. RG and TA, K.Sweet. Topics: Budget and Contracts with Unions.

Old/New Business

Selectman Cranshaw;

- **Housing Trust**, Land, Quirk, property TA will check will Bruce Quirk?
- **Parking Garage**, what are our options? Are we to late to get this fix the fall?
- Can we find out if the \$50,000.00 from the MacDonald agreement is still available? TA, KS. Will discuss both issues with Chris and Wayne, DPW
- Question, Finance Committee, makes recommendations on articles, should the Board of Selectmen.

Selectman Gavin;

- Congratulation's, to Lynda and Alex Thayer, (5 years in Business, Look Optical, anniversary.
- With 129 Parker Street in mind, when the Concord Mews was signed, Concord Mews agreed to do some work on the Waltham/Parker Street lights. Is that still going to happen? No, that was part of the old deal. That agreement is up.

Executive Session

In the matter of: Contract, negotiations with Union

Motion to convene an executive session was made by Selectman Cranshaw and duly seconded by Selectman Gavin.

Roll Call

Gavin	Yea	
Capello		Absent
Buscemi		Absent
Chetwynd	Yea	
Cranshaw	Yea	

After the executive session open session will not reconvene.

A motion to adjourn the meeting was made by Selectman Cranshaw. Second by Selectman Gavin. Vote 3-0. Motion approved.

Time: _____ pm

Approved: _____

Date:

Selectman, David Gavin, Clerk

Initials: BJM